

FLORENCE T. NAKAKUNI #2286
United States Attorney
District of Hawaii

MICHAEL K. KAWAHARA #1460
Assistant U.S. Attorney
Room 6-100, Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: mike.kawahara@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 10-00384 SOM-01 - 14
)	
Plaintiff,)	MOTION TO DECLARE THE
)	CASE COMPLEX UNDER
vs.)	18 U.S.C. § 3161(h)(8)(B)
)	(ii) AND TO CONTINUE TRIAL;
ROGER CUSICK CHRISTIE,	(01)) CERTIFICATE OF SERVICE
SHERRYANNE L. ST. CYR,	(02))
SUSANNE LENORE FRIEND,	(03))
TIMOTHY M. MANN,	(04))
RICHARD BRUCE TURPEN,	(05))
WESLEY MARK SUDBURY,	(06))
DONALD JAMES GIBSON,	(07))
ROLAND GREGORY IGNACIO,	(08))
PERRY EMILIO POLICICCHIO,	(09))
JOHN DEBAPTIST BOUEY, III,	(10))
MICHAEL B. SHAPIRO,	(11))
also known as "Dewey",)
AARON GEORGE ZEEMAN,	(12))
VICTORIA C. FIORE,	(13))
JESSICA R. WALSH, also	(14))
known as "Jessica Hackman,)
)	
Defendants.)	
)	

**MOTION TO DECLARE CASE COMPLEX UNDER
18 U.S.C. § 3161(h)(8)(B)(ii) AND TO CONTINUE TRIAL**

The United States of America, by and through its undersigned counsel, moves this Honorable Court to declare the instant case complex under 18 U.S.C. § 3161(h)(7)(B)(ii) and to continue the trial date (currently set for September 8, 2010) to a new date convenient to the parties and the Court.

The United States submits that the instant case involves wiretap evidence from three separate telephone lines during the period April - July 2009,¹ large amounts of drug and non-drug evidence discovered during the execution of search warrants on the various defendants' premises on July 22, 2009, March 10, 2010, and July 8, 2010, and otherwise gathered by law enforcement agencies.² As a consequence thereof, the instant case is so complex that it is unreasonable to expect the parties to prepare for trial within the time limits set by the Speedy Trial Act. Accordingly, the United States asks the court pursuant to 18

¹ To illustrate the scope and extent of the wiretap investigation involved herein, the aggregate number of intercepted telephone calls on each line were as follows:

Target Telephone 1:	11,164
Target Telephone 2:	4,233
Target Telephone 3:	1,798

² For example, the pretrial discovery provided herein to date consists of three DVDs and thirty-eight CDs containing intercepted telephone call recordings, transcripts, and other Title III data, scanned documents, photographs and video/audio recordings, and the like.

U.S.C. § 3161(h)(7)(A) to declare the case complex and to continue the trial from September 8, 2010, to a date convenient to the parties and the Court, to exclude the time between the present trial date and the new trial date from computation under the Speedy Trial Act, and to find that the ends of justice served by taking such action outweigh the best interest of the public and the defendants in a speedy trial.

To give the parties the requisite time to consider the instant motion, it is further requested that this motion be heard by the Court at the presently-scheduled final pretrial conference before Magistrate Judge Kobayashi on August 9, 2010 at 10:00 a.m.

Dated: July 23, 2010, at Honolulu, Hawaii.

FLORENCE T. NAKAKUNI
United States Attorney
District of Hawaii

/s/ Michael K. Kawahara
By _____
MICHAEL K. KAWAHARA
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

Matthew C. Winter, AFD Attorney for Defendant ROGER CUSICK CHRISTIE	matthew_winter@fd.org
Dana S. Ishibashi, Esq. Attorney for Defendant SHERRYANNE L. ST. CYR	ishibashid@aol.com
Gurmail G. Singh, Esq. Attorney for Defendant SUSANNE LENORE FRIEND	gary@garysinghlaw.com
Harlan Y. Kimura, Esq. Attorney for Defendant TIMOTHY M. MANN	hyk@aloha.net
Barry D. Edwards, Esq. Attorney for Defendant RICHARD BRUCE TURPEN	barrydedwards@gmail.com
Michael J. Park, Esq. Attorney for Defendant WESLEY MARK SUDBURY	mparkatty@hawaii.rr.com
Richard S. Kawana, Esq. Attorney for Defendant DONALD JAMES GIBSON	rskawana@prodigy.net
Louis Michael Ching, Esq. Attorney for Defendant ROLAND GREGORY IGNACIO	louismichaelching@hotmail.com
Stuart N. Fujioka, Esq. Attorney for Defendant PERRY EMILIO POLICICCHIO	stuart@snfaal.com

Cynthia Kagiwada, Esq. c_kagiwada@hotmail.com
Attorney for Defendant
JOHN DEBAPTIST BOUEY, III

Clifford B. Hunt, Esq. notguilty007@msn.com
Attorney for Defendant
MICHAEL B. SHAPIRO, aka "Dewey"

Todd W. Eddins, Esq. eddins@eddinsdefense.com
Attorney for Defendant
AARON GEORGE ZEEMAN

Michael J. Green, Esq. michaeljgreen@hawaii.rr.com
Attorney for Defendant
VICTORIA C. FIORE

Alvin K. Nishimura, Esq. aknlaw@hawaiiantel.net
Attorney for Defendant
JESSICA R. WALSH, aka "Jessica Hackman"

DATED: July 23, 2010, at Honolulu, Hawaii

/s/ Valerie Domingo

U.S. Attorney's Office
District of Hawaii